

REMARKS

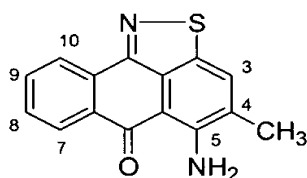
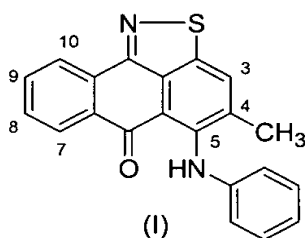
Claims 13, 14, 109 and 110 are presently pending in the application. Claims 1-12 and 15-108 have been canceled without prejudice for being drawn to non-elected inventions. Applicants reserve their right to prosecute the subject matter of any canceled or amended claim or any other unclaimed subject matter in one or more divisional, continuation or continuation-in-part applications. Claims 109 and 110 have been amended. No new matter has been added.

I. The Rejection of Claims 13, 14 and 109 Under 35 U.S.C. §102(b) over Guenthard

Claims 13, 14 and 109 have been rejected under 35 U.S.C. §102(b) as allegedly being anticipated by U.S. Patent No. 3,522,263 to Guenthard *et al.* ("Guenthard"). In particular, the Examiner references Guenthard's Example 3.

Applicants respectfully submit that Guenthard does not anticipate claim 13 or claim 14.

Guenthard's Example 3 relates to a synthesis of:



from (II) and bromobenzene.

Compounds (I) and (II) are 4,5-disubstituted compounds.

In contrast to Guenthard, claim 13 recites 5,9-disubstituted compounds, 7,9-disubstituted compounds or 5,7-disubstituted compounds. Neither Compound (I) nor Compound (II) is a 5,9-, 7,9- or 5,7-disubstituted compound. Accordingly, neither Compound (I) nor Compound (II) anticipates claim 13 or 14.

Claim 109 has been amended to no longer recite the 55th, 56th, 58th, 61st, 63rd-67th, 125th, 136th, 139th and 140th compounds. None of the compounds recited in amended claim 109 is disclosed in Guenthard.

Accordingly, in view of the above arguments and amendment, Applicants believe that the rejection of claims 13, 14 and 109 under 35 U.S.C. §102(b) as allegedly being anticipated by Guenthard have been overcome and must be withdrawn.

II. The Rejection of Claim 110 Under 35 U.S.C. §102(b) over Staeuble

Claim 110 has been rejected under 35 U.S.C. §102(b) as allegedly being anticipated by U.S. Patent No. 3,095,415 to Staeuble *et al.* ("Staeuble"). In particular, the Examiner references Staeuble's Example 11.

Claim 110 has been amended to delete the recitation that A and B are both Cl.

In view of this amendment, Applicants believe that the rejection of claim 110 under 35 U.S.C. §102(b) as allegedly being anticipated by Staeuble has been overcome and must be withdrawn.

No fee is believed to be due in connection with this response; however, should the Patent Office determine that any additional fee be required, Applicant hereby authorizes that such fee be charged to Pennie & Edmonds LLP Deposit Account No. 16-1150 (although attorneys for applicants are now with the law firm of Jones Day, the Deposit Account under the name of Pennie & Edmonds LLP is still being used in connection with the above-identified application).

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Respectfully submitted,

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Enclosures